

**KANSAS STATE BOARD OF MORTUARY ARTS  
700 SW JACKSON, SUITE #904  
TOPEKA, KANSAS**

**The Board Meeting of Thursday, February 11, 2021  
(rescheduled from January 14, 2021)  
Senate Room, Jayhawk Tower Building**

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**Format of Minutes:**

On each motion there appear the names of two board members in a parenthesis. The first named made the motion, and the second named made the second. Ayes and Nays will be recorded at a voter's request.

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**Thursday, February 11, 2021:**

- I. The meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President Bedene.

Roll call by Executive Secretary J.W. Carey found the following board members in attendance: President Barry W. Bedene, Arma, Licensee; Vice President Amy Elliott, Lenexa, Consumer; Craig Boomhower, Garden City, Licensee; Robert J. "Bob" Steil, Lawrence, Consumer. Executive Secretary J.W. Carey and Assistant Attorney General Jan Arndt were also in attendance.

Laine Barnard, Assistant Attorney General was introduced as the new General Counsel to the Board.

The board noted this meeting's tentative agenda that is displayed on the agency's website at: <http://ksbma.ks.gov/> under the heading of *Upcoming Meetings*.

(Steil-Elliott) To approve a final agenda for this meeting. Carried.

(Boomhower-Steil) To adopt the October 8, 2020 regularly rescheduled board meeting minutes. Carried. These minutes will be signed by President Bedene and Executive Secretary Carey, then displayed on the board's website.

The board reviewed results of the written funeral directors' examination administered on October 8, 2020 noting that 100% (all four applicants) were successful.

The board reviewed results of the written assistant funeral directors' examinations administered in November and December 2020 noting that roughly 50% (two of four applicants) were successful.

The board reviewed the 'Interview Times' and the 'List of Licensure Applicants' scheduled to interview with the board at this meeting, noting that three (3) applicants are scheduled to meet with the board: three (3) embalmer-funeral director applicants. Following approval by the Board, three (3) applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting.

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- II. The board reviewed individual applications for licensure along with the executive secretary's summations of the applicant's apprentice and supervising licensee progress reports. Applicants for licensure will be interviewed later in this meeting. All funeral director applicants will be administered the written funeral directors' examination proctored by Office Manager, Kim Cottrell at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

Quarterly apprentice progress reports of embalmer/funeral director apprentices and supervising licensees that were due December 15, 2020 were summarized by the executive secretary with copies of the individual reports available for board members to review.

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III. **Investigative Committee (IC) Report:**

Eighteen (18) files were closed with eight (8) files remaining open at this time.

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IV. **2021 Kansas Legislative Session Start Up Information:**

- 1) The Board reviewed and discussed the Legislation tracked by Executive Secretary Carey.  
A bill being tracked by the KSBMA, include:
  - a) Senate Bill No. 10—concerning labor and employment; relating to occupational licensing and regulation; enacting the right to earn a living act.
  - b) Senate Bill No. 34-concerning administrative rule and regulations; relating to automatic sunset, exception there to; renewal by legislature; certification by revisor of statutes; requirement for adoption of rules and regulations.
  - c) House Bill No. 2066-concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials.
  - d) House Bill No. 2107-concerning funeral processions; relating to the regulation thereof; creation a violation for not yielding the right-of-way to funeral processions.
  - e) Senate Bill No. 137-concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials.
  - f) Senate Bill 131-concerning funeral processions; relating to the regulation thereof; permitting funeral escorts to direct funeral procession traffic through intersections and traffic control devices.
  - g) Substitute for House Bill No. 2066-concerning occupational regulation; relating to occupational licenses for certain applicants;

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**V. Board Business:**

- 1) (Elliott-Steil) To approve the quarterly lists of continuing education. Carried. Lists approved were: Scheduled (On-Site) Programs (Listing by Date of Program from the KSBMA web site), Ongoing Programs, Home-Study/Correspondence Programs and the list of Crematory Operator Programs. These items are updated regularly and are available on the board's website.
- 2) (Boomhower-Steil) To approve the list of lapsed licenses. Carried. This list contains the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped or who have died and in the case of assistant funeral directors, who are no longer employed at a funeral home under the supervision of a funeral director. The current list reviewed and approved by the Board included one (1) assistant funeral director licenses, one (1) crematory operator licenses, zero (0) embalmer licenses and zero (0) funeral director licenses. This information is provided for a number of reasons, including use by the Office of Vital Statistics (OVS) for purposes of licensure verification on death certificates.
- 3) The board reviewed the draft list of Automatically Suspended Licenses. This list contains the names of individuals who have not paid their license renewal fees by the appropriate due date and have not requested that their licenses be dropped. Once a license is six months in arrears, it is then automatically placed on the lapsed license list for purposes of being dropped. Due to Senate Bill No. 14 on January 25, 2021 and Executive Order No. 21-02 on January 26, 2021, will expire on March 31, 2021, any license that was in good standing as of March 12, 2020 remains valid at this time due to the State Disaster Emergency currently scheduled to expire on March 31, 2021. This draft list includes twenty one (21) embalmer licenses, twenty one (21) funeral director licenses, thirteen (13) assistant funeral director licenses, twelve (12) crematory operator licenses, three (3) establishment licenses and zero (0) branch establishment licenses for license renewals due through January 26, 2021.
- 4) The board reviewed the following lists of information for the quarter: Changes in Funeral Home and Crematory Ownership with two (2) crematories, one (1) funeral establishment and three (3) branch funeral establishments noted. The list of Closed Funeral Homes and Crematories to report this quarter consists of one (1) funeral homes and one (1) crematory.
- 5) (Steil-Boomhower) To approve the FY 2021 Second Quarter (October 1–December 31, 2020) report of KSBMA Funeral Home-Crematory Inspector Francis F. Mills. Carried. In the Second Quarter of FY 2021, zero (0) inspections were conducted with zero (0) violations noted and zero (0) miles traveled involving visits to zero (0) counties due to being unable to travel for all of the quarter.
- 6) The Board reviewed the current roster of apprentice embalmers and funeral directors. A total of nineteen (19) apprentices are currently registered with the board, including: fifteen (15) embalmer-funeral director apprentices, zero (0) embalmers and four (4) funeral director apprentices.

- 7) Articles/information of interest involving the agency, licensure, regulation and the funeral profession in general were provided to board members and legal counsel regarding articles on a wide range of subjects, including: Emergency Order of Local Health Officer, Memorandum from Secretary DeAngela Burns-Wallace.
- 8) Board Meeting dates for 2021, include: April 8, July 8, and October 14.
- 9) The Board discussed the updated situation involving license renewals and continuing education and the following Executive Orders from Kansas Governor Laura Kelly relating to COVID-19:
  - a) The State of Disaster Emergency, as extended by Senate Bill No. 14 on January 25, 2021 and Executive Order No. 21-02 on January 26, 2021, will expire on March 31, 2021. Renewal applications for licenses expired or set to expire between March 12, 2020 and March 31, 2021, as well as required continuing education, will be considered timely if received by the KSBMA on or before March 31, 2021. The KSBMA will consider the renewal application late and the license invalid if received after March 31, 2021.
- 10) Updated information pertaining to Board Members and Administrative Staff was provided and discussed.

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**VI. Executive Secretary's Report:**

- 1) Updated Budget Information :
  - a) Current FY 2021 (July 1, 2020–June 30, 2021) The amount approved by the 2020 Kansas Legislature is \$325,571.
  - b) FY 2022–A request of \$304,038 was submitted to the Division of the Budget.
  - c) FY 2023–A request of \$308,394 was submitted to the Division of the Budget.

The Division of the Budget's recommendations that were provided in early November

  - d) Performance Based Budgeting (PBB)–Nothing new to report at this time.
- 2) Information regarding the International Conference of Funeral Service Examining Boards (ICFSEB):
  - a) National Board Examination (NBE) Results were reviewed and discussed.
- 3) There was no new information to report from the Council on Licensure, Enforcement and Regulation (CLEAR).
- 4) There was no new information regarding the Federation of Associations of Regulatory Boards (FARB).
- 5) Information from the Kansas Funeral Directors Association (KFDA):
  - a) The Board reviewed the September, October, November/December 2020 and January 2021 editions of the KFDA Journal.
  - b) KFDA email concerning eligibility of funeral directors to receive the COVID-19 Vaccine.
- 6) The KSBMA's website, located at <http://ksbma.ks.gov/>, continues to be regularly updated by the KSBMA's administrative staff.
- 7) There was no new information to report from the National Funeral Directors Association (NFDA).

- 8) There was no new information to report from the Federal Trade Commission (FTC) Funeral Rule.
- 9) There was no new information to report from the American Board of Funeral Service Education (ABFSE.)
- 10) There was no new information to report from the Cremation Society of North America (CANA.)
- 11) There was no new information to report from the Funeral Consumer's Alliance (FCA.)
- 12) There was no new information to report from the Funeral Consumer's Alliance of Greater Kansas City (FCA-GKC.)
- 13) There was no new information to report from the Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS).
- 14) The Mortuary Science Program at Kansas City Kansas Community College (KCKCC.) In session and in person with seven (7) who graduated in December and twenty four (24) who are attending in January.
- 15) There was no new information to report from the Kansas Mass Fatality Planning Task Force.
- 16) The agency's Continuity of Operations Planning System (COOP) continues to be updated quarterly or more often as is needed. This is the system utilized in cases of emergencies by the State of Kansas for state agencies. COOP also sends monthly planning topics to all state agencies—including the KSBMA.
- 17) No new information from Non-Cabinet Agency Heads Meetings.
- 18) No new information from Smaller State Agencies Administrator's Meetings (SSAAM).

**VII. The board met with *Applicants for Licensure* to discuss their applications and apprenticeships:**

**Embalmer-Funeral Director Applicant: Mr. Ryan D. Risner**

(Boomhower-Elliott) To grant an embalmer license upon payment of an initial license fee of \$38.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$28.00. Carried. Mr. Risner will complete his embalmer and funeral director apprenticeships on February 20, 2021 at Johnson County Funeral Chapel located in Overland Park, Kansas. Once issued, the renewal date for the licenses would be June 30, 2021. Mr. Risner was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.)

**Embalmer-Funeral Director Applicant: Ms. Corinne E. Hinson**

(Elliott-Boomhower) To grant an embalmer license upon payment of an initial license fee of \$171.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$126.00. Carried. Ms. Hinson completed her embalmer and funeral director apprenticeships on February 10, 2021 at Miles Funeral Service located in Winfield, Kansas. Once issued, the renewal date for

the license would be August 31, 2022. Ms. Hinson was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.)

**Embalmer-Funeral Director Applicant: Ms. Samantha D. VonHeeder**

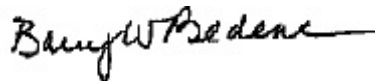
(Boomhower-Elliott) To grant an embalmer license upon payment of an initial license fee of \$95.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$70.00. Carried. Ms. VonHeeder completed her embalmer and funeral director apprenticeships on December 19, 2020 at Plumer-Overlease Funeral Home located in Stockton, Kansas. Once issued, the renewal date for the licenses would be October 31, 2021. Ms. VonHeeder was granted an Advanced Standing Diploma in Mortuary Science at Des Moines Area Community College (DMACC) located in Des Moines, Iowa and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.)

**VIII. New/Old/Remaining Business/Adjournment**

(Steil-Elliott) To adjourn—subject to recall by the president, vice president or executive secretary. Carried. The date of the next regularly scheduled board meeting is Thursday, April 8, 2021.

At approximately 1:30 p.m. Executive Secretary Carey read instructions to the funeral director examinee applicants prior to the administration of the funeral directors' examination which was proctored by Office Manager, Kim Cottrell in the Florentine Room of the Jayhawk Tower.

Respectfully submitted:



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Barry W. Bedene, President  
Thursday, February 11, 2021  
(Date)



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J.W. Carey, Executive Secretary  
Thursday, February 11, 2021  
(Date)